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June 6, 2022

Hon. Ronnie Abrams, District Judge  
United States District Court, Southern District of New York  
40 Foley Square, New York, NY 10007

Re: *Amy Cooper v. Franklin Templeton, et al.*, No. 1:21-cv-04692-RA  
Confirmation Of Oral Argument Procedures

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Dear Judge Abrams:

We represent Defendants Franklin Resources, Inc., Franklin Templeton Companies, LLC, and Jenny Johnson (collectively, "Defendants") in the above-referenced matter. We write pursuant to Your Honor's Individual Rules & Practices to request clarification regarding the Court's procedures for the use of exhibits during the oral argument scheduled on July 22, 2022. Dkt. 33. Specifically, Defendants would like to confirm whether the parties will be permitted to use substantive exhibits (including the May 25, 2020 video) and demonstrative exhibits (including but not limited to poster boards or PowerPoint presentations), and whether the parties are required to exchange any exhibits with each other and/or the Court prior to the oral argument.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Grace E. Speights

Grace E. Speights

cc: All counsel of record (via electronic mail)

While the Court does not have any specific individual rules regarding the use of exhibits during oral argument, the parties are reminded that on a motion to dismiss, the Court may only consider the allegations in the complaint, as well as "any written instrument attached to it as an exhibit, materials incorporated in it by reference, and documents that, although not incorporated by reference, are 'integral' to the complaint." *See Sira v. Morton*, 380 F.3d 57, 67 (2d Cir. 2004) (internal citations omitted).

SO ORDERED.



Hon. Ronnie Abrams

06/07/22

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